

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

GEOFFREY HAROLD HARVEY,

Petitioner,

v.

CIVIL ACTION NO. 2:16-cv-05665  
(Criminal No. X:07-cr-00033)

UNITED STATES OF AMERICA,

Respondent.

**ORDER**

This action was referred to United States Magistrate Judge Omar Aboulhosn for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. The Proposed Findings & Recommendations [ECF No. 114] (“PF&R”) and recommended that the court **REINSTATE** the above case to the active docket, **DENY** Movant’s “Emergency Motion to Correct Sentence Under 28 U.S.C. § 2255” and Supplemental Emergency Motion [ECF Nos. 99, 104], and **REMOVE** this matter from the Court’s docket. Neither party timely filed objections to the PF&R nor sought an extension of time.

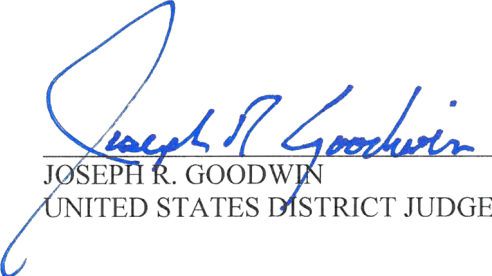
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge

as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. The court **REINSTATES** the above case to the active docket, **DENIES** Movant's "Emergency Motion to Correct Sentence Under 28 U.S.C. § 2255" and Supplemental Emergency Motion [ECF Nos. 99, 104], and **REMOVES** this matter from the Court's docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: November 3, 2021



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE